



Order Filed on September 15, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**

21-05442 BKMFR01  
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Attorneys for Freedom Mortgage Corporation

In Re:

CLARENCE R. BAIN, III

Case No: 18-27284-ABA

Hearing Date: September 21, 2021

Judge: ANDREW B.  
ALTENBURG, JR

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: September 15, 2021**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

Applicant: Freedom Mortgage Corporation  
Applicant's Counsel: Matthew Fissel, Esquire, Brock & Scott, PLLC  
Debtor(s)' Counsel: Andrew Thomas Archer, Esquire  
Property Involved ("Collateral"): 9 STEWART AVE, Delran, NJ 08075

Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor(s)' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for 3 months, from June 2021 to August 2021.  
☒ The Debtor is overdue for 3 payments at \$1,504.82 per month.  
☐ The Debtor(s) is assessed for \_\_\_\_\_ late charges at \$\_\_\_\_\_ per month.  
☐ Applicant acknowledges receipt of funds in the amount of \$\_\_\_\_\_ received after the motion was filed.  
☒ There is currently \$488.68 being held in Debtor suspense.

**Total Arrearages Due: \$4,025.78.**

2. Debtor(s) must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$\_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.

☒ Beginning on September 1, 2021, regular monthly mortgage payments in the amount of \$1,504.82 shall resume.

☒ Beginning on September 1, 2021, additional monthly cure payments shall be made in the amount of \$670.96 for 5 months and \$670.98 for 1 month.

☐ The amount of \$\_\_\_\_\_ shall be capitalized in the debtor(s)' Chapter 13 plan. Debtor(s) shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

\_\_\_\_\_  
\_\_\_\_\_

☒ Regular monthly payment:

\_\_\_\_\_  
Freedom Mortgage / Attn: Cash Processing,  
10500 Kincaid Drive, Fishers, IN 46037  
\_\_\_\_\_

☒ Monthly cure payment:

\_\_\_\_\_  
Freedom Mortgage / Attn: Cash Processing,  
10500 Kincaid Drive, Fishers, IN 46037  
\_\_\_\_\_  
\_\_\_\_\_

4. In the event of Default:

☒ If the Debtor fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Applicant may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, then this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.